

**THE HON'BLE SRI JUSTICE R.SUBHASH REDDY**

**WRIT PETITION NO: 20003 of 2007**

Date: 09-10-2007

Between:

Dantuluri Satyanarayana Raju

**..... PETITIONER**

AND

The Sub-Registrar,  
Bheemunipatnam,  
Visakhapatnam and another.

**.....RESPONDENTS**

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**THE HON'BLE SRI JUSTICE R.SUBHASH REDDY**

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**WRIT PETITION NO: 20003 of 2007**

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**ORDER:**

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Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

In this writ petition, the petitioner seeks a direction by way of Mandamus declaring the action of the first respondent in insisting the petitioner to get no objection certificate from the second respondent to consider the document for sale of land covered by Sy.No.42/2 admeasuring Ac.5.00 cents situated in Tangudubilli Village, Anadapuram Mandal, Visakhapatnam District as illegal and arbitrary.

In the affidavit filed in support of the writ petition, it is stated that the land covered by Sy.No.42/2 admeasuring Acs.5.00 cents was originally assigned to an ex-serviceman by name Simhachalam and a patta was granted in his favour. It is stated that subsequently, it was sold to third parties and ultimately purchased by the petitioner vide registered document bearing No.2928/2005 registered in the office of the Beemunipatnam Sub-Regsitrar Office. It is further stated that as the petitioner is in urgent need of money and for clearing some debts, he wanted to sell this piece of land, but, however, the first respondent, without any authority, insisting for no objection certificate to consider the document for the purpose of registration.

Though it is alleged in the affidavit filed in support of the writ petition that the first respondent was insisting for no objection certificate, but there is no order to that effect or any endorsement by the first respondent-Sub-Registrar. However, as far as no objection certificate is concerned, there is no such requirement as per the provisions of the Registration Act, 1908 and the Rules made thereunder before considering any document for the purpose of registration.

In that view of the matter, I dispose of the writ petition directing the first respondent Sub-Registrar Beemunipatnam to accept the document for sale of land covered by Sy.No.42/2, Tagudubilli Village, of Anadapuram Mandal, Visakhapatnam District and consider the same without insisting for no objection certificate from the second respondent-Mandal Revenue Officer. However, it is made clear that such registration shall be subject to compliance of the provisions of the Stamp Act and the Rules made thereunder. Further, it is also made clear that if there are any objections, it is open for the first respondent to record reasons and communicate the same to the petitioner.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

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R.SUBHASH REDDY,J

Date: 09-10-2007  
KLP